

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application No. : *10/757,151*
Confirmation No. : *3165*
Applicants : *Michael P. Casey et al.*
Filed : *January 14, 2004*
Title: : *Gaming Machine Having A Shuffle Feature And
A Simultaneous Multiple Award Feature*
TC/A.U. : *3714*
Examiner : *Andrew Kim*
Docket No. : *247079-000292USPT*
Customer No. : *70243*

Mail Stop Appeal Brief – Patents – via EFS
Commissioner for Patents
Alexandria, Virginia 22313-1450

CORRECTIONS TO APPEAL BRIEF FILED ON MARCH 6, 2009

Dear Commissioner:

These Corrections to the Appeal Brief of March 6, 2009, are being filed in response to the Notification of Non-Compliant Appeal Brief of March 27, 2009 (“Notification”). The Corrections are being filed within one month or thirty days from the mailing date of the Notification.

The Applicants note with appreciation the telephone conference accorded to the Applicants’ representative (Sorinel Cimpoes) by Ms. Bridget C. Monroe (Patent Appeals Center Specialist) on April 6, 2009. In accordance with the instructions received from Ms. Monroe, who signed the Notification, the Appeal Brief of March 27, 2009, is being modified by the specific corrections listed and provided below.

The Status of Claims section (Section E) must include all the claims, including cancelled claims 1-21, 23, 25, 34-35, and 44-45. The Status of Claims section has been changed to comply with items 2 and 10 of the Notification, in accordance with Ms. Monroe's instructions.

The Grounds of Rejection To Be Reviewed On Appeal (Section H) must include all the claims rejected by the Examiner, including claims that are not being argued on appeal. Specifically, the second ground of rejection must include claims "28, 40, and 46" along with claim 24, even if claims 28, 40, and 46 are not being argued on appeal. The Grounds of Rejection To Be Reviewed On Appeal has been changed to comply with item 5 and 10 of the Notification, in accordance with Ms. Monroe's instructions.

In accordance with Ms. Monroe's specific instructions (and the Notification), only the corrected sections are being submitted in response to the Notification. If there are any matters which may be resolved or clarified through a telephone conference, the Examiner is requested to contact the undersigned attorney at the number indicated.

Respectfully submitted,

Date: April 6, 2009

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E. STATUS OF CLAIMS

Claims 22, 24, 26-33, 36-43, and 46-48 are currently pending and are finally rejected. Claims 1-21, 23, 25, 34-35, and 44-45 have been cancelled. This appeal is taken from the Notice of Panel Decision rejecting the pending claims. Ex. B. No claims have been allowed.

H. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 22, 26-27, 29-33, 36-39, 41-43, and 47-48 were improperly rejected under 35 U.S.C. § 102 as being anticipated by Gilmore (U.S. Patent No. 6,347,996, attached as Ex. D).
2. Whether claims 24, 28, 40, and 46 were improperly rejected under 35 U.S.C. § 103 as being obvious over Gilmore in view of Schneider (U.S. Patent No. 6,089,976, attached as Ex. E).